

## REMARKS

Claims 1-20 are pending. Claims 1, 8 and 18 are amended herein.

No new matter is added as a result of the claim amendments.

Support for the claim amendments can be found at least on page 11, lines 14-16, page 26, lines 14-16 and lines 20-22, and page 27, lines 4-5, of the instant application.

### 103 Rejections

The instant Office Action states that Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over “Error-Resilient Video Compression” by John G. Apostolopoulos (hereinafter, “Apostolopoulos”) in view of Jinzaki et al. (U.S. Patent Application Publication No. 2001/0009547; hereinafter, “Jinzaki”). The Applicant has reviewed the cited references and respectfully submits that the embodiments of the present invention recited in Claims 1-20 are not shown or suggested by Apostolopoulos and Jinzaki, alone or in combination.

### Claims 1-17

In general, independent Claims 1 and 8 pertain to embodiments in which different encoded video streams are transmitted through different network paths, where the encoding parameters for each stream are appropriate for the characteristics of each path. Claims 2-7 and 11-17 are dependent on Claim 1, and Claims 9-10 are dependent on Claim 8.

Specifically, independent Claim 1 is directed to a method that includes “accessing information that characterizes a first path in the network and information that characterizes a second path in the network that includes a relay device not on the first path; ... using video encoding

parameters that are selected according to the information that characterizes the first path, ... [and] using video encoding parameters that are selected according to the information that characterizes the second path.” Independent Claim 8 recites similar limitations.

Applicant respectfully submits that the limitations of independent Claims 1 and 8 are not shown or suggested by either Apostolopoulos or Jinzaki or the combination thereof. While the combination of Apostolopoulos and Jinzaki appears to teach “a plurality of network routes with a plurality of pieces of different communications delay,” neither Apostolopoulos nor Jinzaki, nor the combination thereof, show or suggest using information about the network routes to make decisions about how to encode the data to be communicated over the various network routes.

Therefore, Applicant respectfully submits that Apostolopoulos and Jinzaki, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited by independent Claims 1 and 8. Accordingly, Applicant respectfully submits that the basis for rejecting Claims 1 and 8 under 35 U.S.C. § 103(a) is traversed, and that these claims are in condition for allowance. Because Claims 2-7 and 9-17 depend from Claim 1 or Claim 8 and contain additional limitations, Applicant respectfully submits that the basis for rejecting Claims 2-7 and 9-17 under 35 U.S.C. § 103(a) is also traversed, and that Claims 2-7 and 9-17 are also in condition for allowance.

#### Claims 18-20

Independent Claim 18 is directed to a method that includes “transmitting the encoded odd video frames by employing a first path over the network, wherein relay devices on the first path are explicitly specified

prior to the transmitting of the encoded odd video frames; and transmitting the encoded even video frames by employing a second path over the network, wherein relay devices on the second path are explicitly specified prior to the transmitting of the encoded even video frames.” Claims 19-20 are dependent on Claim 18 and recite additional limitations.

Applicant respectfully submits that the limitations of independent Claim 18 are not shown or suggested by either Apostolopoulos or Jinzaki or the combination thereof. As mentioned above, the combination of Apostolopoulos and Jinzaki appears to teach “a plurality of network routes with a plurality of pieces of different communications delay.” However, Applicant respectfully submits that neither Apostolopoulos nor Jinzaki, nor the combination thereof, show or suggest specifying the devices on the various network routes before the data to be communicated over those routes is transmitted.

Therefore, Applicant respectfully submits that Apostolopoulos and Jinzaki, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited by independent Claim 18. Accordingly, Applicant respectfully submits that the basis for rejecting Claim 18 under 35 U.S.C. § 103(a) is traversed, and that Claim 18 is in condition for allowance. Because Claims 19-20 depend from Claim 18 and contain additional limitations, Applicant respectfully submits that the basis for rejecting Claims 19-20 under 35 U.S.C. § 103(a) is also traversed, and that Claims 19-20 are also in condition for allowance.

### Conclusions

In light of the above remarks, Applicant respectfully requests reconsideration of the rejected claims.

Based on the arguments presented above, Applicant respectfully asserts that Claims 1-20 overcome the rejections of record and, therefore, Applicant respectfully solicits allowance of these claims.


Applicant has reviewed the reference cited but not relied upon. Applicant did not find this reference to show or suggest the present claimed invention: U.S. Patent No. 4,935,816.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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